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22386 U.S. PTO
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042004

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April 20, 2004

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: **58777.000016**

First Named Inventor: **Kazuwa NAKAO**

Title: **THERAPEUTIC AGENTS FOR ACHONDROPLASIA**

TO: **Mail Stop Patent Application**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

1. ☒ Fee Transmittal Form (original and duplicate)
2. ☐ Small Entity Status Claimed:

☐ Independent Inventor
☐ Small Business Concern
☐ Non-Profit Organization

☐ Statement Enclosed
☐ Statement Filed in Prior Application; Status Still Proper and Desired
3. ☒ Specification - Total Pages: 34 (Including Abstract)

CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims	17	20	0	\$ 18.00	\$ 9.00	\$0.00
Independent Claims	4	3	0	\$ 86.00	\$ 43.00	\$86.00
First Presentation of Multiple Dependent Claims				\$ 290.00	\$ 145.00	\$0.00
BASIC FEE				\$ 770.00	\$ 385.00	\$770.00
TOTAL FILING FEE						\$0.00
Assignment Recordation Fee						\$0.00
TOTAL AMOUNT ENCLOSED						\$856.00

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4. ☒ Drawings - Total Sheets: 7 (Fig(s). 1-7)
5. Oath or Declaration - Total Pages: 3
- a. ☐ Newly executed (original or copy)
☐ New (unexecuted)
- b. ☒ Copy from a prior application
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(s):
Signed statement attached deleting inventor(s) named in prior application.
6. ☒ Application Data Sheet
7. ☐ CD-ROM or CD-R in duplicate, large table or Microfiche Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (two copies); or
- ii. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statements verifying identity of above copies
9. ☐ Assignee/Applicant: _____
- ☐ Assignment and Assignment Recordation Form Submitted Herewith

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☐ Assignee of Record in Prior Application No. _____ :

recorded on _____ at Reel _____, Frame _____.

10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney

11. ☐ English Translation Document (if applicable)

12. ☐ Information Disclosure Statement with PTO-1449 and References

☐ Copies of Information Disclosure Statement Citations

13. ☒ Preliminary Amendment

14. ☒ Return Receipt Postcard

15. ☒ Priority is Claimed as Follows:

U.S. Application No. 10/218,109, filed August 14, 2002 and

Japanese Application No. 301586/2001, filed September 28, 2001 and

Japanese Application No. 310322/2001, filed October 5, 2001

☐ If Foreign Priority is Claimed, Certified Copy of the Above Priority Document(s) is Submitted Herewith

16. ☐ Nonpublication Request under 35 U.S.C. § 1222(b)(2)(B)(i). Applicant must attach Form PTO/SB/35 or its equivalent.

17. ☐ Other: _____

18. ☐ Continuation ☒ Divisional ☐ Continuation-in-Part of
Prior Application No.: 10/218,109 filed August 14, 2002

Prior application information: Examiner Kailash C. SRIVASTAVA
Group Art Unit 1651

☐ Incorporation By Reference (useable if Box 5b is marked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon

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when a portion has been inadvertently omitted from the submitted application papers.

☐ Complete Application Based on Provisional Application No.: _____
filed _____

19. Please address all correspondence to:

☒ CUSTOMER NUMBER

☒ **Robert M. Schulman**
Intellectual Property Department
Hunton & Williams
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109

20. ☒ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:

☐ The power of attorney is to: Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Scott D. Balderston, Reg. No. 35,436; Carl L. Benson, Reg. No. 38,378; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; Thomas D. Bradshaw, Reg. No. 51,492; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No. 40,544; Robin C. Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Dinnatia J. Doster, Reg. No. 45,268; Kevin T. Duncan, Reg. No. 41,495; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; Charles F. Hollis, III, Reg. No. 40,650; David M. Huntley, Reg. No. 40,309; Nancy J. Jensen, Reg. No. 45,913; Herbert V. Kerner, Reg. No. 42,721; Steven P. Klocinski, Reg. No. 39,251; Robert C. Lampe, III, Reg. No. 51,914; Jonathan D. Link, Reg. No. 41,548; Charles B. Lobsenz, Reg. No. 37,857; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No.

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April 20, 2004

Page 5

48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Matthew J. Pryor, Reg. No. 45,278; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Henry C. Su, Reg. No. 37,738; Rodger L. Tate, Reg. No. 27,399; Raphael A. Valencia, Reg. No. 43,216; René Vazquez, Reg. No. 38,647; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

☐ Please remove as power of attorney: Scott D. Balderston, Reg. No. 35,436; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; Tyler S. Brown, Reg. No. 36,465; Dinnatia J. Doster, Reg. No. 45,268; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; David M. Huntley, Reg. No. 40,309; Steven P. Klocinski, Reg. No. 39,251; Charles B. Lobsenz, Reg. No. 37,857; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Matthew J. Pryor, Reg. No. 45,278; Stuart I. Smith, Reg. No. 42,159; Henry C. Su, Reg. No. 37,738; Raphael A. Valencia, Reg. No. 43,216; and René Vazquez, Reg. No. 38,647.

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Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and
Scott F. Yarnell, Reg. No. 45,245.

21. ☒ A check in the amount of \$ 770.00 is enclosed. In the event any
variance exists between the amount enclosed and the Patent Office charges,
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- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge any
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Respectfully submitted,

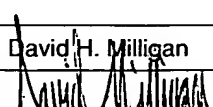
By:



David H. Milligan
Registration No. 42,893

DHM/cbt
Enclosures

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042004
The PTO did not receive the following listed item(s) A check of \$856.00 but we got a check of \$770.00

FEE TRANSMITTAL BOX PATENT APPLICATION		Complete If Known					
		Application No.		To Be Assigned			
		Filing Date		Herewith			
		First Named Inventor		Kazuwa NAKAO			
		Examiner Name		To Be Assigned			
Group Art Unit		To Be Assigned					
Total Amount Of Payment (\$)		856.00		Attorney Docket No.		58777.000016	
METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> The Director of the United States Patent and Trademark Office is hereby authorized to charge indicated fees and credit any over payments to Deposit Account No. 50-0206 in the name of Hunton & Williams.				3. ADDITIONAL FEES			
				Fee Description		Fee Paid	
2. <input checked="" type="checkbox"/> Check Enclosed. The Director of the United States Patent and Trademark Office is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to Deposit Account No. 50-0206 in the name of Hunton & Williams, 1900 K Street, N.W., Suite 1200, Washington, D.C. 20006-1109.				<input type="checkbox"/> Surcharge - late filing fee or oath		\$	
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				<input type="checkbox"/> _____ Month Extension of Time		\$	
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				<input type="checkbox"/> Filing Brief in Support of Appeal		\$	
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				<input type="checkbox"/> Petitions Related to Provisional Applications		\$	
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				<input type="checkbox"/> Filing Request for Reexamination		\$	
				<input type="checkbox"/> Other (specify) _____		\$	
2. EXTRA CLAIMS FEES							
CLAIMS AS AMENDED							
For	Number Present	Highest Number Paid For	Extra	Rate		Amount	
				Large Entity	Small Entity		
TOTAL CLAIMS	17	20	0	x \$ 18.00	x \$ 9.00	\$ 0.00	
INDEPENDENT CLAIMS	4	3	0	x \$ 86.00	x \$ 43.00	\$ 86.00	
MULTIPLE DEPENDENT CLAIMS				\$ 290.00	\$ 145.00	\$ 0.00	
TOTAL EXTRA CLAIMS FEES						\$ 86.00	
SUBMITTED BY						Complete (if applicable)	
Typed or Printed Name		David H. Milligan			Registration No.		42,893
Signature					Date		April 20, 2004